

Docket Item #8
SPECIAL USE PERMIT #97-0023

Planning Commission Meeting
April 1, 1997

ISSUE: Consideration of a request for a special use permit to change the ownership, extend the hours of operation, and enlarge an existing restaurant.

APPLICANT: 2111 Eisenhower Avenue Limited Partnership
by Donald F. Simpson, Sr.

LOCATION: 2111 Eisenhower Avenue

ZONE: OCM-100/Office Commercial Medium

CITY COUNCIL ACTION, APRIL 12, 1997: Approved the recommendation of the Planning Commission and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

PLANNING COMMISSION ACTION, APRIL 1, 1997: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&CD) (SUP #1720-C)
2. Seating shall be provided inside for no more than ~~12~~ 60 patrons. (P&Z)
3. Condition deleted.
4. One outside litter container shall be provided and emptied daily. (P&CD) (SUP #1720-A)
5. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z)
6. No food, beverages or other material shall be stored outside. (P&CD) (SUP #1720-A)
7. Litter on the site and on the public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and more often if necessary to prevent an unsightly and unsanitary accumulation on each day that the business is open to the public. (P&CD) (SUP #1720-A)
8. Condition deleted.
9. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for all employees. (Police)
10. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)

DISCUSSION:

1. The applicant, 2111 Eisenhower Avenue Limited Partnership, requests special use permit approval to change the ownership, extend the hours of operation, and enlarge an existing restaurant at 2111 Eisenhower Avenue.
2. The subject property is one lot of record with approximately 174 feet of frontage on Eisenhower Avenue, 220 feet of depth and an estimated lot area of 38,280 square feet. The site is developed with a commercial building and a parking lot. Offices, a bank and a small restaurant occupy the building. Commercial uses surround the building; the new federal courthouse is directly behind it.
3. City Council has approved the following special use permits for the subject property:

| <u>Date</u> | <u>SUP</u> | <u>Applicant/Issue</u> |
|-------------|------------|---------------------------------|
| 11/04/84 | #1720 | Kahan/ restaurant with 12 seats |
| 04/16/88 | #1720-A | Kim/ ownership change |
| 12/17/89 | #1720-B | Yang/ ownership change |
| 09/14/91 | #1720-C | Min/ ownership change |

4. The current request is to change the ownership, extend the hours of operation, and enlarge an existing restaurant. The building expansion, consisting of approximately 730 square feet of floor area, will double the size of the restaurant (see attached plan) and result in the addition of 48 seats for a total of 60 seats. The area to be added to the restaurant is now a part of a covered parking lot; the addition will result in the removal of three parking spaces.
5. The restaurant serves sandwiches, daily special entrees, soups, salads and non-alcoholic beverages.
6. Proposed changes to the hours of operation are as follows:

| <u>Current</u> | <u>Proposed</u> |
|---|---|
| 7:00 a.m. to 5:00 p.m. Monday through Friday | 7:00 a.m. to 7:00 p.m. Monday through Saturday |

7. A maximum of six staff will operate the restaurant at any one

time.

8. Goods will be loaded from the parking lot between 6:00 a.m. and 9:00 a.m.
9. On February 28, 1997, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.
10. Sections 8-200(A)(8), 8-200(A)18, and 8-200(A)17 of the zoning ordinance provide the parking standards for the restaurant, office, and personal service (bank) uses within the building. The parking requirement for uses at the subject property is as follows:

| <u>Use</u> | <u>Square Feet/ Number of Seats</u> | <u>Parking Standard¹</u> | <u>Required Spaces</u> |
|------------|---|---|----------------------------|
| Office | 28,850 | 1/600 | 48 |
| Bank | 1,700 | 1/400 | 5 |
| Restaurant | 60 seats | 1 per 4 seats | <u>15</u> |
| Total | | | 68 |

Parking will be adequate for all uses at the property as there will be a total of 76 parking spaces once three spaces are removed to accommodate the restaurant renovation.

11. Zoning: The subject property is located in the OCM (100) zone. Section 401003 of the zoning ordinance allows a restaurant in the OCM (100) zone only with a special use permit.
12. Master Plan: The proposed use is consistent with the King Street/Eisenhower Avenue chapter of the Master Plan which designates the property for commercial office use.

STAFF ANALYSIS:

Staff has no objection to the proposed expansion of the restaurant at 2111 Eisenhower Avenue. It is located in a commercial area occupied by large office buildings and few restaurants. Parking is adequate and the additional space and extended hours will allow the restaurant to accommodate more patrons.

¹ Number of parking spaces per square feet of floor area.

Staff recommends approval of the special use permit.

STAFF: Sheldon Lynn, Director, Department of Planning and
Zoning; Jan Weydemeyer, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation
 S - suggestion F - finding

Transportation & Environmental Services:

R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers.

Code Enforcement:

- C-1 The submitted drawings are insufficient to determine compliance with the USBC requirements for a restaurant. Dimensioned floor plans are necessary, drawn to scale, showing the available access, egress and plumbing facilities that will serve the new restaurant, as well as information on the type of construction, height of building, area of tenant space, the uses of adjoining spaces in the building, fire suppression and fire alarm system in compliance with USBC 105.5.
- C-2 Compliance with the requirements of the 1993 USBC for Use Group or A-3 (USBC 303.4) must be demonstrated and any construction work necessary to achieve such compliance shall be done in accordance with the 1993 USBC.
- C-3 Alterations to the existing structure and/or installation of equipment therein requires a building permit (USBC 105.1). Four sets of plans bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the building permit application (USBC 105.5). The plans must be dimensioned, drawn to scale and include proposed architectural layout, access and egress provisions, construction details, kitchen equipment, other electrical and mechanical equipment layout and schematics, plumbing systems and fixtures, all in sufficient detail to ascertain compliance with all applicable code section.
- C-4 Certification is required from the owner or owner's agent that the renovated space of the building has been inspected by a licensed asbestos inspector for the

presence of asbestos (USBC 117.3.4).

- C-5 A seating and table layout, complete with dimensions, showing aisle and aisle access way clear widths, shall be submitted to the building official for review and approval, prior to occupancy (USBC 1012.2 through 1012.7).
- C-6 The seating area of the restaurant shall have its occupant load approved and posted conspicuously, using occupant load signs approved and issued by the building and/or fire official (USBC 1003.3).
- C-7 Fire separation assemblies must comply with USBC 313.0.
- C-8 Accessibility for persons with disabilities must be provided, including but not limited to access to the premises, seating and toilet facilities (USBC 1101.3.2)).
- C-9 Sufficient toilet facilities shall be provided for the total proposed capacity of the entire facility, including customers and employees, complying with the requirements of USBC 2901.1, P-1204.1 and P-1204.4.1.
- C-10 The applicant must obtain a Certificate of Occupancy from the building official, prior to occupying the premises as a restaurant (USBC 115.1).
- C-11 Sufficient mechanical ventilation shall be provided for the total proposed capacity of the entire restaurant complying with the requirements of USBC 2801.2, M-1604.0.
- C-12 Entry doorway must swing in the direction of egress in compliance with USBC 1017.4.

Health Department:

- F-1 This facility is currently operating as Big C Deli under Health Department Permit #01-0233 issued to The Big C, Inc.
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 This facility and all modifications must meet current

Alexandria City Code Requirements for food handling establishment.

- C-3 Five sets of plans must be submitted to the Health Department for approval prior to construction/modifications. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Handling Establishments.
- C-4 Permits and/or approval must be obtained prior to operation.
- C-5 Facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 Certified Food Managers must be on duty during all hours of operation.
- C-7 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.

Police Department:

- R-1 Security survey for the business.
- R-2 Robbery awareness program for all employees.

REPORT ATTACHMENTS